IN THE HIGH COURT OF JUDICTURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY APPLICATION NO. 141 OF 2004

IN

COMPANY PETITION NO. 964 OF 2002

M/s. SATA Farbspritzetechnik & Co. ... Petitioner.

Versus.

M/s. M. Baker Auto Refinishing Pvt. Ltd .. Respondents.

Ms. Trupti Shetty i/b. Dhruv Liladhar & Co.
for the Applicant.

None present for the Respondent despite noitice.

CORAM: S.J. VAZIFDAR, J.

DATE : 15TH OCTOBER, 2004.

P.C. :

1. By an Order dated 1st July, 2004 the Respondent Company was directed to pay Rs. 9,00,000/- towards full and final settlement of the Petitioner's claim. The order also recorded that a cheque in the said sum was handed over to the learned Counsel appearing for the Petitioner.

2. The Petitioner seeks a modification of the order in

view of the fact that the Petitioner does not have a bank account in India.

3. In the circumstances, the order dated 1st July, 2004 is modified. The Respondent Company shall remit the rupee equivalent of Rs.9,00,000/- to the Petitiioner’s account, the details whereof shall be furnished in writing, after complying with any formalities or legal requirements, if any. Upon the confirmation of the remittance, the Petitioner’s advocate shall return the said cheque in the sum of Rs.9,00,000/- to the Respondent’s advocate duly cancelled. Liberty to apply in case of difficulty.

SD/-

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